

# EXECUTIVE COUNCIL OF IOWA

## MINUTES

### JANUARY 3, 2012

The Executive Council met in regular session at 10:01 a.m. Room G09 of the Capitol Building with Governor Terry Branstad presiding. Auditor of State David Vaudt, Treasurer of State Michael Fitzgerald and Secretary of Agriculture William Northey were present. Secretary of State Matt Schultz was absent

Regular session  
January 3, 2012

Moved by Auditor Vaudt and seconded by Treasurer Fitzgerald that the Council approve the minutes of the Executive Council meeting held December 19, 2011.

Minutes  
Approved

The vote:      Ayes:      Governor Branstad  
                                 Auditor Vaudt  
                                 Treasurer Fitzgerald  
                                 Secretary Northey  
                         Nays:      None

David Vaudt, State Auditor requested a new membership in AICPA Governmental Audit Quality Center for one year in the amount of \$275.00

Approved New  
Memberships

Moved by Treasurer Fitzgerald and seconded by Secretary Northey that the Council approve the request.

The vote:      Ayes:      Governor Branstad  
                                 Auditor Vaudt  
                                 Treasurer Fitzgerald  
                                 Secretary Northey  
                         Nays:      None

Carlene Russell, Department on Aging was present to request new memberships in the following:

1. American Society on Aging for one year in the amount of \$205.00
2. National Academy for State Health Policy for one year in the amount of \$175.00.

Moved by Auditor Vaudt and seconded by Secretary Northey that the Council approve the requests.

The vote:      Ayes:      Governor Branstad  
                                 Auditor Vaudt  
                                 Treasurer Fitzgerald  
                                 Secretary Northey  
                         Nays:      None

Jude Igbokwe, Iowa Workforce Development was present to request a new membership in International Economic Development Council for one year in the amount of \$1,075.00.

Moved by Secretary Northey and seconded by Auditor Vaudt that the Council approve the request.

The vote:	Ayes:	Governor Branstad Auditor Vaudt Treasurer Fitzgerald Secretary Northey
	Nays:	None

Moved by Treasurer Fitzgerald and seconded by Secretary Northey that the Council approve the following request from David Vaudt, Auditor of State:

Employ the services of KPMG LLP, to perform the audit of the Iowa Fund of Funds, Fund A for the year ending December 31, 2011. The total reimbursement shall not be for more than \$9,920.00.

The vote:	Ayes:	Governor Branstad Auditor Vaudt Treasurer Fitzgerald Secretary Northey
	Nays:	None

Moved by Auditor Vaudt and seconded by Treasurer Fitzgerald that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approval to amend the current contract with Belin Law firm to substitute Weinhardt & Logan and to add Ms. Danielle Shelton at the rate of \$210.00 per hour.

The vote:	Ayes:	Governor Branstad Auditor Vaudt Treasurer Fitzgerald Secretary Northey
	Nays:	None

Approved  
Outside CPA  
Firm

Approved  
Outside  
Counsel

Moved by Auditor Vaudt and seconded by Secretary Northey that the Council approve the following lease:

Approved  
Leases

Lease between DNR and Blackhawk Fleet, LLC subsidiary of Marquette Transportation Company Buffalo, IA  
Date of Lease: Five years ending December 31, 2016  
Legal Description: A parcel 650 feet long by 200 feet wide located in Section 19, Township 77 North, Range 2 East, Scott County, Iowa, at Mississippi River Mile 469.5.  
Annual Fee: \$6,826.00

The vote:      Ayes:              Governor Branstad  
   Auditor Vaudt  
   Treasurer Fitzgerald  
   Secretary Northey  
                 Nays:              None

Moved by Treasurer Fitzgerald and seconded by Secretary Northey that the Council approve request for emergency allocation as follows:

Approved  
Emergency  
Allocations

Department of Natural Resources request for an emergency allocation in the amount of \$15,561.35, subject to audit of actual invoices. On July 22, 2011 damage to a storage building at Wapsipinicon State Park in Jones County was caused by wind damage due to a falling tree. Request is to cover repair costs.

The vote:      Ayes:              Governor Branstad  
   Auditor Vaudt  
   Treasurer Fitzgerald  
   Secretary Northey  
                 Nays:              None

Moved by Auditor Vaudt and seconded by Secretary Northey that the Council approve the following cost items:

Approved Cost  
Items

- A. Dorsey & Whitney, LLP .....\$5,400.64  
P.O. Box 1680  
Minneapolis MN 55480-1680  
Community Development Div. of the Department of Economic  
Development
- B. Wandro & McCarthy, P.C. ....\$1,825.00  
2501 Grand Avenue, Suite B  
Des Moines, IA 50312  
Unclaimed Property Probate Matters

- C. Shuttleworth and Ingersoll, P.L.C..... \$7,430.12  
115 3<sup>rd</sup> Street South East  
Suite 500  
Cedar Rapids, IA 52401  
Mills v. Iowa Board of Regents et al., an employment termination case
- D. Coppola, McConville, Coppola, Hockenberg & Scalise, P.C.....\$5,000.00  
2100 Westown Parkway, Suite 210  
West Des Moines, IA 50265-1539  
Mortgage Industry Practices
- E. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$261.00  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of prospective state employees
- F. Dow, Lohnes PLLC.....\$5,153.74  
1200 New Hampshire Ave NW Suite 800  
Washington, DC 20036  
Iowa Public Television
- G. Nyemaster, Goode, West, Hansell & O'Brien, P.C.....\$6,164.70  
700 Walnut Street  
Suite 1600  
Des Moines, IA 50309  
Collections of Accounts in Court
- H. Dorsey & Whitney.....\$522.00  
801 Grand Avenue, Suite 3900  
Des Moines, IA 50309  
2009-2010 Series of I-Jobs Bonds
- I. Nyemaster, Goode, West Hansell & O'Brien, P.C. ....\$201.50  
700 Walnut, Suite 1600  
Des Moines, IA 50309  
Central Iowa Construction Trades Council et al. v. Branstad et al, No. 4:11-cv-202, a suit in federal court challenging Executive Order No. 69
- J. Nyemaster, Goode, West Hansell & O'Brien, P.C. ....\$12,681.50  
700 Walnut, Suite 1600  
Des Moines, IA 50309  
Homan, Dotzler, Hunter, Jacoby, Running-Marquardt, and Beall v. Terry E. Branstad

- K. Patterson Law Firm L.L.P..... \$199.50  
 729 Insurance Exchange Building  
 505 Fifth Avenue  
 Des Moines, IA 50309-2390  
David Ozolins v. University of Iowa and Second Injury Fund of Iowa
- L. Patterson Law Firm L.L.P..... \$184.00  
 729 Insurance Exchange Building  
 505 Fifth Avenue  
 Des Moines, IA 50309-2390  
Jesadae Lafella v. Iowa Medical & Classification Center, State of Iowa and Second Injury Fund
- M. Patterson Law Firm L.L.P..... \$121.50  
 729 Insurance Exchange Building  
 505 Fifth Avenue  
 Des Moines, IA 50309-2390  
Maureen Kimmerle v. State of Iowa and Second Injury Fund
- N. Patterson Law Firm L.L.P..... \$279.50  
 729 Insurance Exchange Building  
 505 Fifth Avenue  
 Des Moines, IA 50309-2390  
Dirk Marple v. University of Iowa Hospitals and Clinics, State of Iowa and Second Injury Fund.

The vote:      Ayes:              Governor Branstad  
    Auditor Vaudt  
    Treasurer Fitzgerald  
    Secretary Northey  
                  Nays:              None

Moved by a Auditor Vaudt and seconded by Secretary Northey that the Council approve the following renewal memberships:

Approved  
 Renewal  
 Memberships

- A. Cultural Affairs in National Council of State Historic Preservation Offices in the amount of \$ 6,301.00 for January 1 - December 31, 2012.
- B. Department on Aging in National Academy of Elder Law Attorneys (NAELA) in the amount of \$225.00 for January 1 - December 31, 2012.
- C. Economic Development in Business Retention & Expansion International (BREI) in the amount of \$255.00 for January 1 - December 31, 2012.
- D. Economic Development in Professional Developers of Iowa (PDI) in the amount of \$1,450.00 for January 1 - December 31, 2012.

- E. Education in American Library Association in the amount of \$3,040.00 for December 1, 2011 - November 30, 2012.
- F. Education in Association for Informational Media and Equipment in the amount of \$150.00 for December 31, 2011 - December 31, 2012.
- G. Education in National Association of State Approving Agencies in the amount of \$500.00 for July 1, 2011 - June 30, 2012.
- H. Health in Association of State and Territorial Public Health Nutrition Directors (ASTPHND) in the amount of \$400.00 for January 1 - December 31, 2012.
- I. Health in Association of State and Territorial Dental Directors (ASTDD) in the amount of \$100.00 for January 1 - December 31, 2012.
- J. Health in National Association for Public Health Statistics and Information Systems (NAPHSIS) in the amount of \$2,450.00 for January 1 - December 31, 2012.
- K. Human Rights in National Association for State Community Services Programs in the amount of \$3,876.17 for January 1 - December 31, 2012.
- L. Human Services in American Public Human Services Association (APHSA) in the amount of \$22,120.00 for January 1 - December 31, 2012.
- M. Inspections and Appeals in Association of Racing Commissioners International (ARCI) in the amount of \$5,000.00 for January 1 - December 31, 2012.
- N. Iowa Finance Authority in Iowa Commercial Real Estate Association in the amount of \$85.00 for January 1 - December 31, 2012.
- O. Iowa Public Television in Iowa Broadcasters Association in the amount of \$267.00 for January 1 - December 31, 2012.
- P. IPERS in Association for Information and Image Management International (AIIM) in the amount of \$99.00 for January 1 - December 31, 2012.
- Q. IPERS in Council of Institutional Investors in the amount of \$30,000.00 for January 1 - December 31, 2012.
- R. IPERS in International Foundation for Retirement Education (InFRE) in the amount of \$875.00 for September 30, 2011 - September 30, 2012.

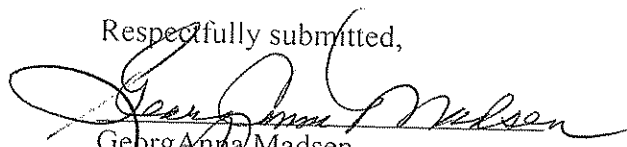
- S. IPERS in International Foundation of Employee Benefit Plans (IFEBP) in the amount of \$755.00 for January 1 - December 31, 2012.
- T. IPERS in National Association of Public Pension Attorneys in the amount of \$700.00 for January 1 - December 31, 2012.
- U. IPERS in National Council on Teacher Retirements (NCTR) in the amount of \$3,000.00 for January 1 - December 31, 2012.
- V. IPERS in National Institute on Retirement Security (NIRS) in the amount of \$5,000.00 for January 1 - December 31, 2012.
- W. IPERS in Public Retirement Information Systems Management in the amount of \$150.00 for January 1 - December 31, 2012.
- X. Public Defense in International Interior Design Association (IIDA) in the amount of \$465.00 for January 1 - December 31, 2012.
- Y. Public Safety in Association of Public Safety Communications Officials (APCO) in the amount of \$92.00 for January 1 - December 31, 2012.
- Z. Public Safety in United States Police Canine Association in the amount of \$40.00 for January 1 - December 31, 2012.
- AA. Vocational Rehabilitation in Greater Cedar Valley Alliance & Chamber in the amount of \$60.00 for January 1 - December 31, 2012. On November 21, 2011 Council approved \$160.00 for this membership. The actual amount should have been \$220.00. This request is for the additional funds that are due.

The vote:      Ayes:      Governor Branstad  
                                 Auditor Vaudt  
                                 Treasurer Fitzgerald  
                                 Secretary Northey  
                         Nays:      None

The meeting was adjourned at 10:13 a.m.

Meeting  
adjourned

Respectfully submitted,

  
Georganna Madsen  
Executive Secretary